

April 7, 2008

Subject: Low Power FM Comment Filing on Docket No 99-25.

Ref: Appendix B of the FCC's Third Report and Order, released Dec 11, 2007.

FCC Commissioners:

We applaud the Commissions ongoing efforts to promote the operation and expansion of LPFM service.

These are our comments including comments on CFR amendments found at the above reference.

LPFM & FM TRANSLATOR PRIORITIES:

Applicants know that their organization while LPFM licensed, will:

- never own another station.
- never own even a single translator.
- Never reach beyond their local 100 watt signal.
- Will always have at least 75% of their board members living within 10 miles of their LPFM antenna.

In contrast, FM translator owners can:

- own multiple full power broadcast stations.
- own multiple FM translators.
- operate throughout the U.S.
- live anywhere in the U.S, and are certainly not obliged to live within 10 miles of their translators .

These contrasts point out that LPFM service is directly oriented to diversity and localism; while FM Translator service is relatively oriented in opposition to diversity and localism.

The Commission, consistent with its own objectives in promoting LPFM service and its objectives in promoting diversity and localism, should give priority to LPFM service over FM Translator service.

73.809 INTERFERENCE PROTECTION TO FULL SERVICE FM STATIONS:

This amendment works in opposition to the promotion of the operation and expansion of LPFM service.

The Commission, consistent with its own objectives in promoting the operation and expansion of LPFM service, should reverse this amendment so that the protection is to the LPFM application over a subsequent Full Power or NCE FM application.

73.865 ASSIGNMENT AND TRANSFER OF LPFM:

We agree with all amendments in this section except that at (a)(1).

With the possible exception of a prohibition on finder fees and brokerage fees, the Commission already has sufficient safeguards in place to prevent creating a speculative market for LPFM. These safeguards already include:

- limitation on ownership to non-profit, educational organizations.
- limitation on board of directors living outside of 10 mile proximity of the LPFM antenna (an absolute prohibition against having any director living outside of 20 miles would be an added safeguard).
- 100 Watt power limitation.
- limitation to zero ownership of other stations.
- prohibition on advertising.
- 18 to 36 month no sell construction permit plus the 3 year operating holding period (under this section amendment at (a)(2)(c)&(d).

The Commission should not financially penalize LPFM's in a transfer, but should permit LPFM's to be able to transfer the license, equipment, facilities, etc., however it chooses to package it, for fair market value consideration.

73.3598 Period of Construction:

We agree entirely with this amendment and applaud the Commission for providing an 18 month extension application for LPFM construction permits.

Respectfully,

Gregory L. DePuydt
President
Queen of Victory Educational Radio Association
KQOV-LP
519-A E. Front St.
Butte, MT 59701-5209

e-mail: kgov@in-tch.com